ANNAPOLIS —

A hint of rebellion echoed in the question posed by a Baltimore County lawmaker.

"What is *the Senate*?" asked Sen. Thomas Bromwell of Perry Hall.

This was in early March, midway through the regular 90-day session of the Maryland legislature, and Bromwell was suggesting in a floor speech that he and other colleagues were being taken for granted. They felt slighted by reports that "the Senate" would propose a whopping tax increase to solve the state's budget crisis and that the House would resist this.

"Nobody asked me if I was for a tax increase, and I've talked to a lot of other senators who said they weren't asked, either," Bromwell said, his voice rising.

He then put the rhetorical question to Sen. Laurence Levitan, the chairman of the Budget and Taxation Committee and a prime source for reporters covering budget deliberations: "So what is this Senate I keep reading and hearing about in these stories about the budget and taxes? Just what is *the Senate*?"

Levitan and Senate President Mike Miller assured Bromwell and other members of that august body — known as such, someone once suggested, because it takes until August to get anything done — that their input in resolving the budget crisis would be welcome. When the state has a $1.2 billion hole in its sock, it should not be finicky about who does the mending.

Underdogs hang tough

But between the day Bromwell asked the question and April 6, the expiration date of the regular session, he and a band of Baltimore County colleagues in the Senate and the House threw so much sand into the gears of the Big-Tax Express that it ground to an historic halt. Never before, since the adoption of the current budgetary procedure in 1916, had a Maryland legislature concluded its regular session in paralytic failure to adopt a spending program for the next fiscal year.

The collapse prompted Gov. William Donald Schaefer to extend the regular session, then to call a special session to get the job done. Even the resisters knew from the outset that some tax increase was inevitable. In the end, resolving the crisis boiled down to a $250 million tax package readied for passage in the special session. But largely because the Baltimore Countians dug in their heels, a major part of the early Senate leadership proposal to balance the budget — raising the sales tax rate from 5% to 5.5% — was eliminated. This alone could save Maryland taxpayers at least $175 million a year.

Another result of Baltimore County defense against raising taxes could be even more important: Because the movement was so effective this time, the budget process in Annapolis has been pried open.

Members in both houses who don't sit on budget committees and who traditionally scrain for a glimpse of the esoteric process may no longer be treated as mere outsiders or distant fringe players.

One reason was the determination of the Baltimore County contingent to become involved in the process. In the House, Del. Ellen Sauerbrey of Baldwin, leader of the Republican minority, put together a bipartisan group that combed the list of budget-balancing cuts proposed by Schaefer and the Democratic majority, then drew up its own list and unveiled it at a well-orchestrated news conference.

Source: https://www.industrydocuments.ucsf.edu/docs/xmxm0004

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Like a coach who had done his best, tax activist John O'Neill of Ruxton sits on the sideline to watch the action on the Senate floor. The Senate had just been told that Sen. William Donald Schaefer would be sending the game into overtime to resolve the budget stalemate.

Less widely publicized, a similar alternative was crafted by the Senate group, whose hard core included Bromwell and three county colleagues — Sens. Vernon Boozer of Towson, Nancy Murphy of Catonsville and Norman Stone of Dundalk. Joining them were Sens. Charles Smelser, who represents parts of Frederick, Howard and Carroll counties, and James Simpson of Southern Maryland.

Like a band of underground economists in a floating crap-game, they quietly met nearly a dozen times in various places. The first session was put together by Bromwell, who chairs the county's senators, and was held in his office. Later sessions, furtively fitted in between meetings of the various committees to which the members were regularly assigned, were held in whatever space they could cadge.

Sometimes it was an obscure second-floor office of the nearby Legislative Services Building. Ironically, at least one meeting was held in the President's Conference Room of the Senate Office Building. It was like sneaking into the lion's den to twist its tail.

Outside advice to the group came from John O'Neill of Ruxton, a retired businessman and one of the county's most vocal activists on the tax issue.

Asked about his role, O'Neill said he was "only too happy to help out, and I don't want a dime for it." He called it his civic duty.

Learning the ropes

"To be honest," admits Bromwell, "ex for Charles Smelser and Nancy Murphy, are on the Budget and Tax Committee, a we didn't really know what the hell we w doing."

But bit by bit, sometimes paralleling t path taken by Sauerbrey's House group, fledgling budgeters in the Senate maver hacked away at parts of the governor's billion budget. The regular budget comm — Senate B&T and House Appropriatio had already teamed up with the governor

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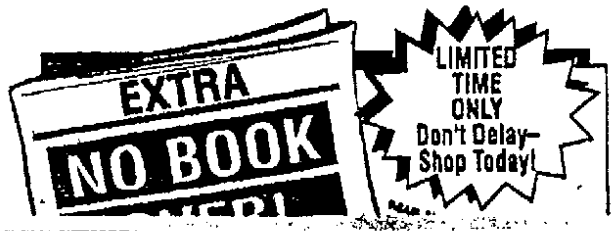

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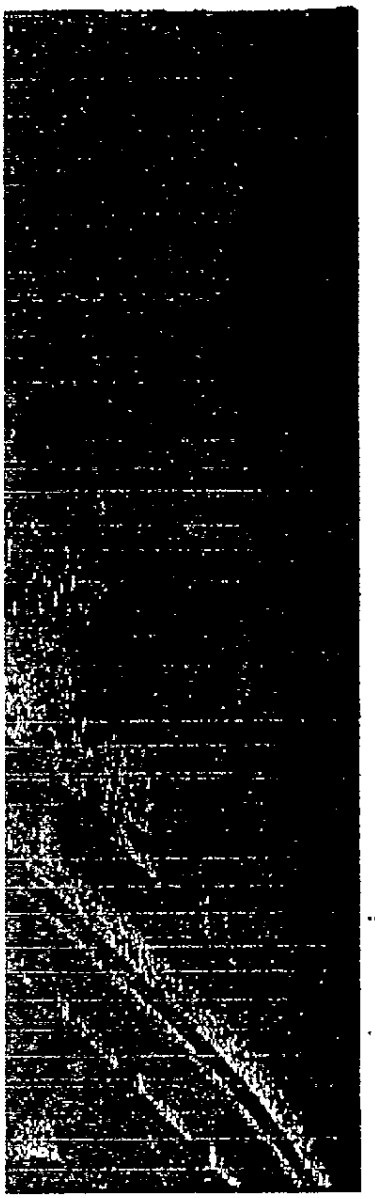

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slice nearly $700 million from this spending program for the fiscal year beginning July 1. They had also cut $500 million from the current budget since the revenues on which both budgets were based had fallen short of predictions during the nation's recession.

Bromwell said they "looked hard" at welfare and Aid to Families with Dependent Children "because they were such big programs and were growing so fast." But they lacked the time to go into as great detail with the rest of the budget.

Throughout its meetings, the Senate group kept shooting for a magical $100 million mark. Reducing the revenues-expenditures gap for next year to that size would show that no major tax increase was needed.

Across the hall, in the House, the Republican caucus under Sauerbrey and Del. Robert Kittleman of Howard County, the deputy majority leader, issued its version of a no-tax budget.

It included $100 million in savings through such steps as suspending legislative scholarships, abolishing most state employee jobs involving public relations and lobbying, cutting state officials' travel allowance and reducing welfare.

The Schaefer administration deplored these and other proposals of State House budget attackers as too severe. Schaefer had offered his own "doomsday" budget, a retrogressive package, as an alternative to his preferred plan with nearly $500 million in state tax hikes and nearly that much in local income tax hikes that could be applied under newly granted authority for local governments.

Sauerbrey, a persistent critic of administration budgets, said that this one did not take into account reductions that had already been made and that it was based on the usual rate of growth in the economy, not on the continuing recession.

"House Republicans don't buy that assumption," Sauerbrey said.

Several weeks later, the House Republicans were joined by a sprinkling of Democrats, including Dels. Joseph Bartenfelder of Fullerton, Louis Morsberger of Catonsville and Louis DePazzo of Dundalk. This coalition continued to pelt the administration and the House leadership with budget proposals with even more reductions. It lost the key battle when the House passed its version of a big-tax package by a seven-vote majority.

Time on their side

But the House resistance movement lacked a weapon being honed in the Senate by the Bromwell-Boozer group. This was the dreaded "f" word, and Boozer blurted it in an interview three weeks before the end of the regular session.

"I'm ready to *filibuster* on this," he said, ticking off the menu of tax hikes gathering support in Levitan's committee: gasoline, auto registration fees, alcohol, now-exempt retail sales, the local income tax surcharge.

"They've got to be out of their minds to be talking like this in the middle of a recession," said Boozer. "

By now, time had become the big enemy of the Senate leadership and the ultimate weapon of the tax-blockers. Working in shifts and using the Senate rule of unlimited debate, a privilege not available in the 141-member House of Delegates, a small group could paralyze the 47-member Senate until the midnight April 6 deadline.

No one was more aware of this than Senate President Miller, who had presided with anguish over a 1990 filibuster that had tied up the chamber for eight days over abortion legislation. So Miller, who had learned of the underground meetings, urged Bromwell and his group to share its recommendations with Levitan's committee.

This led to a rare B&T Committee hearing at which the skeptical six sat in a row along a witness table topped by three microphones and urged the committee leadership to take another look. Some leadership ideas held water, they said, but the committee had better trim its sails before going forward. They expressed strong doubt that the leadership could force a Senate majority to swallow all of its tax package.

Nobody spoke the "f" word, but it hung in the air.

When the package emerged from committee, it was without the $175 million sales tax rate increase. Other controversial features were ultimately resolved in the compromise prepared for the special session that followed, but no one dared suggest the sales tax rate as part of the compromise.

The Baltimore County line had held.

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